

REMARKS

The Office examined claims 1-5 and rejected same. With this paper, claim 1 is amended, claim 2 is canceled, and none are added. The application now includes 4 claims.

Claim Rejections under 35 USC §102(b)

Claims 1-5 are rejected under 35 USC §102(b) as being anticipated by Noma *et al* (JP2002-003609, Noma hereinafter).

The present invention relates to a resin composition prepared by melt-mixing (A) a hydrolyzed ethylene-vinyl acetate copolymer having a water content of 20 to 50% by weight and (B) a water-swellaable inorganic compound having a layer structure in an extruder under the condition of  $200 < R \times W < 8,000$ . The present invention is further characterized in claim 1 that the cation exchange capacity of the water-swellaable layered inorganic compound (B) is at least 100 meq/100g, as currently amended.

Noma discloses a method of manufacturing a resin composition prepared by melt-mixing (A) a hydrolyzed ethylene-vinyl acetate copolymer having a water content 50% by weight or less, (B) a water-swellaable inorganic compound having a layer structure, and (C) a water soluble resin. The major difference between Noma and the present invention, besides the usage of the water soluble resin (C), is that the inorganic compound (B) in the present invention has a cation exchange capacity of at least 100 meq/100g, especially from 100 to 130 meq/100g, more especially from 105 to 120 meq/100g, since the effects of the present invention are more markedly produced within this range (paragraph [0026] of the published application). Further, in the examples of the instant specification, refined natural montmorillonites (trademark KUNIPIA F, cation exchange capacity 109 meq/100g, and trademark KUNIPIA P, cation exchange capacity 107 meq/100g, respectively) are mentioned as suitable inorganic compounds for the resin composition.

In Noma, the cation exchange capacity range of the water-swellaable layered inorganic compound is not particularly established. A normal water-swellaable layered

inorganic compound as described in Noma (paragraphs [0012] and [0013], in which montmorillonite is mentioned as a preferred inorganic compound) has a cation exchange capacity of no more than 90 meq/100g. Especially shown in the examples in Noma, the cation exchange capacity of the natural montmorillonite used in Examples 1-4 and 6-8 is 87 meq/100g, the cation exchange capacity of the Na-type fluorotetrasilic mica used in Example 5 is 70-80 meq/100g. Nowhere in Noma it is taught or suggested that the cation exchange capacity of the inorganic compound should be at least at least 100 meq/100g.

Therefore, the present invention is different from the descriptions of Noma.

The inorganic compound used in the resin composition of the present invention has a particularly defined cation exchange capacity range. As the result, the resin composition of the present invention has excellent properties, such as boiling water resistance, impact resistance and flex cracking resistance. These properties are relatively inferior if the cation exchange capacity of the water-swellaable layered inorganic compound is less than 90 meq/100g. The effect of the present invention cannot be expected from Noma, which only teaches normal water-swellaable layer inorganic compound without mentioning the cation exchange capacity range.

Based on the foregoing, claim 1 is believed to be patentable in view of Noma. Applicant respectfully requests the rejections of claim 1 under 35 USC 102(b) be reconsidered and withdrawn.

Claims 3-5 depend from claim 1. Since claim 1 is believed to be patentable, claims 3-5 are also believed to be patentable. Applicant respectfully requests the rejections of claims 3-5 under 35 USC 102(b) also be reconsidered and withdrawn.

Conclusion

For all the foregoing reasons, it is believed that all the remaining claims of the instant application are patentable, and their passage to issue is earnestly solicited. Applicant's agent urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

Respectfully submitted,



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